

APR 1985

Idaho Department of Water Resources
Western Regional Office

Filed in District Court Lemhi County

Idaho, Jan 4 1983

at 10 minutes past 5 o'clock P.M.

By *Robert L. Hildner* Clerk

By *Robert L. Hildner* Deputy

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE

STATE OF IDAHO, IN AND FOR THE COUNTY OF LEMHI

IN THE MATTER OF THE GENERAL)
DETERMINATION OF THE RIGHT TO)
THE USE OF SURFACE WATERS AND)
TRIBUTARIES FROM WHATEVER)
SOURCE OF THE LEMHI RIVER)
DRAINAGE BASIN.)

CIVIL NO. 4948

PARTIAL DECREE PURSUANT
TO RULE 54(b), I.R.C.P.

The report of the Idaho Department of Water Resources ("Water Resources" herein) entitled PROPOSED FINDING OF WATER RIGHTS IN THE LEMHI RIVER BASIN was filed with this court on July 9, 1974. The report contains FINDINGS OF FACT, CONCLUSIONS OF LAW, and a LISTING OF WATER RIGHTS.

As a result of objections filed to the PROPOSED FINDINGS, changes were made to the Findings of Fact, Conclusions of Law, and the Listing of Water Rights. These amendments, additions, and deletions to the PROPOSED FINDINGS are set forth in two documents already on file with the court: (1) the "Special Master's Report on Specific Objections," filed April 7, 1982 and adopted by order on September 16, 1982; and (2) the "Stipulation Resolving General Objections" filed February 12, 1982. A third document, "Order Correcting Clerical Oversights in Proposed Finding of Water Rights," filed November 16, 1982, corrects typographical errors in the PROPOSED FINDINGS. Finally, permits listed in the PROPOSED FINDINGS which have become licensed on or before the date of this partial decree will be decreed in their licensed form.

This partial decree does not include any of the rights on Geertson Creek and its tributaries because they were already the subject of a partial decree which is on appeal to the Idaho Supreme Court. The rights of the United States Department of Agriculture, Forest Service, are also not included because they

JUL 30 1996

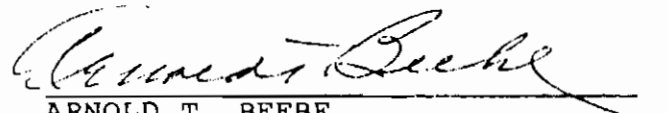
have yet to be resubmitted following the decision of U.S. v. New Mexico.

IT IS HEREBY ORDERED, ADJUDGED and DECREED that the water rights of the Lemhi River Basin with the exceptions noted above are as described in the PROPOSED FINDING OF WATER RIGHTS IN THE LEMHI RIVER BASIN, as amended by:

1. Special Master's Report on Specific Objections;
2. Stipulation Resolving General Objections;
3. Order Correcting Clerical Oversights in Proposed Finding of Water Rights; and
4. Licenses issued on or before the date of this partial decree for permits listed in the PROPOSED FINDINGS;

all of which are incorporated herein by reference.

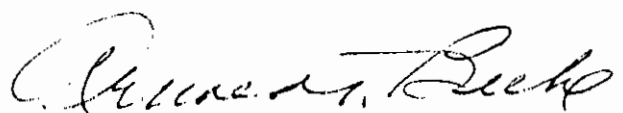
DATED this 30th day of December, 1982.


ARNOLD T. BEEBE
District Judge

Rule 54(b) Certificate

With respect to the issues determined by the above judgment it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final decree and that the court has and does hereby direct that the above partial decree shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

DATED this 30th day of December, 1982.

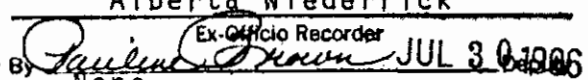

ARNOLD T. BEEBE
District Judge

STATE OF IDAHO) ss NO. 175352
COUNTY OF LEMHI)

This instrument was filed for record at the request of
Dept. of Water Resources
on 11:10 A.M. April 3, 1985
and duly filed and indexed in the file of
JUDGMENTS Records of Lemhi County,
Idaho.

PARTIAL DECREE, Page 2

Return to: Josephine Beeman,
Deputy Attorney General
Dept. of Water Resources
Statehouse
Boise, Idaho 83720

Alberta Wiederrick
Ex-Officio Recorder

None
JUL 30 1986

STATE OF I D A H O
DEPARTMENT OF WATER RESOURCES
WATER RIGHTS ABSTRACT

480416

05/04/83

INDICATES TOTAL									
SOURCE: GROUNDWATER									
RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT	
74-1633	AMONSON, MARIAN B. P.O. BOX 25 LEWIS	04-01-1920	DOMESTIC	01-01 12-31	.04 CFS	T17N R24E	S27 T17N R24E		
74-0806	SOLAAS, CLARENCE R. P.O. BOX 36 BAKER	04-01-1920	DOMESTIC	01-01 12-31	.04 CFS	WENE S04 LT01 T20N R23E S04	T20N R23E S04	DEGREE	
74-0921	HORTON, FRANK W. HORTON, BEVERLY J. P.O. BOX 76 ROBERTS	04-01-1920	DOMESTIC	01-01 12-31	.04 CFS	SESE S28 SESE T16N R26E S28	T16N R26E	DEGREE	
74-1003	LEADORE, GRANGE NUMBER 341 C/O NORMA CARLSON LEADORE	04-01-1920	DOMESTIC	01-01 12-31	.04 CFS	WENE S33 WENE T16N R26E S33	T16N R26E	DEGREE	
74-1028	PURCELL, KERMIT P.O. BOX 5 LEADORE	04-01-1920	DOMESTIC	01-01 12-31	.04 CFS	SWSW S19 SWSW T16N R26E S19	T16N R26E	DEGREE	
74-1029	PURCELL, KERMIT P.O. BOX 5 LEADORE	04-01-1920	DOMESTIC	01-01 12-31	.04 CFS	WENE S33 WENE T16N R26E S33	T16N R26E	DEGREE	
74-1600	WCKINNEY, JACK W. WCKINNEY, SAM P. P.O. BOX 52 LEWIS	04-01-1920	DOMESTIC	01-01 12-31	.04 CFS	WWSW S11 WWSW T17N R24E S11	T17N R24E	DEGREE	
74-0444	MILLER, DEBREKT MILLER, M. WAY GEN. DEL. SALMON	06-01-1920	DOMESTIC	01-01 12-31	.04 CFS	WWSW S08 WWSW T21N R22E S08	T21N R22E	DEGREE	
74-0705	WATSON, MARSHALL WATSON, ANITA RT. 1 SALMON	04-01-1921	DOMESTIC	01-01 12-31	.04 CFS	WENE S08 WENE T21N R22E S08	T21N R22E	DEGREE	
74-0941	MECHLING, MARGARET	04-01-1921	DOMESTIC	01-01 12-31		NESW S20 NESW		DEGREE	